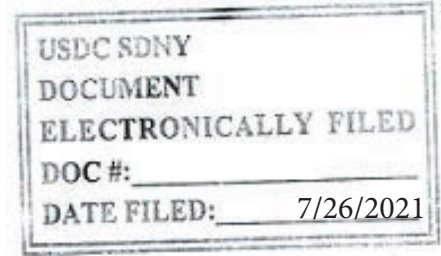


MEMO ENDORSED



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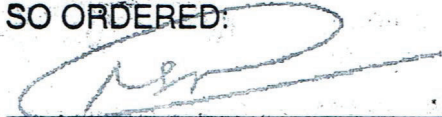
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Hon. Nelson S. Roman, U.S.D.J.
United States District Court, S.D.N.Y.
United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150

July 12, 2021
Deft's request to adjourn the Sentencing from July 27, 2021 until Sept. 21, 2021 at 11:45 am or, alternatively, Sept. 22, 2021 at 11:45 am is granted. The Govt's request to mark this as a **final adjournment** is granted. Clerk of Court requested to terminate the motions (docs. 380 and 381). Dated: July 26, 2021

Re: *USA v. Overton (David Hardy)*
17 Cr. 644 (NSR -09)

SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

Dear Judge Roman,

I represent David Hardy in the above referenced matter. Sentencing is currently scheduled for July 27, 2021. I am respectfully requesting an adjournment of Mr. Hardy's sentencing for several reasons. First, we are still in the process of obtaining documents in this case from previous counsel, including having just received additional documents last week. In addition, we have had difficulty reaching several people who will be providing important mitigation information in this case. Also, some of the documents we recently received contained information suggesting that we will need to take additional mitigation measures, which will also entail additional time. My client is facing a potential sentence of upwards of 40 years in prison. His USSG range is 360 months to life, plus an additional mandatory 10 years, which amounts to a potential sentence of 40 years to life. In his Presentence Report, Probation recommends a 40-year sentence. I was substituted into this matter in late March and as noted above, we are still trying to obtain all the necessary documents in this case so that we can take the appropriate measures to effectively represent Mr. Hardy in his sentencing. In light of the above, we are respectfully requesting a sentence date for late September or early October. Sarah Krissoff, AUSA, has indicated that the Government is not able to take a position on this request presently, because there are still a few people who need to give their input regarding this request.

This is our second request for an adjournment. Your Honor's time and consideration of this request is greatly appreciated.

Respectfully submitted,
s/
Lorraine Gauli-Rufo
Attorney for David Hardy

cc: All Counsel of Record